United Nations Convention on the Law of the Sea SPLOS/307

Meeting of States Parties

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Item 13 of the provisional agenda*

Election of seven members of the International Tribunal for the Law of the Sea

Note by the Registrar of the International Tribunal for the Law of the Sea

I. Election of seven members of the Tribunal

1. In accordance with article 5, paragraph 1, of the statute of the International Tribunal for the Law of the Sea (annex VI to the United Nations Convention on the Law of the Sea), the members of the Tribunal shall be elected for nine years and may be re-elected; provided, however, that of the members elected at the first election, the terms of seven members shall expire at the end of three years and the terms of seven more members shall expire at the end of six years.

2. The first election of members of the Tribunal by the Meeting of States Parties was held on 1 August 1996. The seven members whose terms expired at the end of three years and the seven members whose terms expired at the end of six years were determined by the States parties in accordance with the procedure set out at their fifth meeting, in 1996, consistent with article 5, paragraph 2, of the statute (SPLOS/L.3/Rev.1). Triennial elections of seven members of the Tribunal were held in 1999, 2002, 2005, 2008, 2011 and 2014.

3. The triennial elections held from 1999 to 2008 were conducted in accordance with the procedure determined by the States parties at their fifth meeting. The elections held in 2011 and 2014 were conducted in accordance with the procedure determined at their nineteenth meeting (SPLOS/201).

4. The members currently serving, along with their nationalities and the dates of expiry of their terms of office, are listed in the annex to the present note.

* SPLOS/L.78.

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5. Pursuant to article 2 of the Rules of the Tribunal, the term of office of members elected at a triennial election begins to run from 1 October following the date of the election.

6. The election to fill the places of seven members whose terms of office expire on 30 September 2017 will be held during the present meeting, on a date yet to be determined.

7. In this regard, attention is drawn to the note verbale dated 4 November 2016 in which States parties to the Convention were informed that the election to fill the vacancy resulting from the death of Judge Cachapuz de Medeiros (Brazil), whose term of office would have ended on 30 September 2017, will take place during the present triennial election.

8. In accordance with article 4, paragraph 2, of the statute, the Registrar has prepared a list of all the persons nominated, with an indication of the States parties that have nominated them (SPLOS/308). The curricula vitae of those candidates are provided separately (SPLOS/309).

II. Procedure

9. Pursuant to article 4, paragraph 4, of the statute, the members of the Tribunal shall be elected by secret ballot at a meeting of the States parties convened by a procedure agreed to by the States parties. Two thirds of the States parties shall constitute a quorum at that meeting. It is further stipulated in the same paragraph that the persons elected to the Tribunal shall be those nominees who obtain the largest number of votes and a two-thirds majority of the States parties present and voting, provided that such majority includes a majority of the States parties.

10. Articles 2 and 3 of the statute provide as follows:

Article 2
Composition

1. The Tribunal shall be composed of a body of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea.

2. In the Tribunal as a whole the representation of the principal legal systems of the world and equitable geographical distribution shall be assured.

Article 3
Membership

1. No two members of the Tribunal may be nationals of the same State. A person who for the purposes of membership in the Tribunal could be regarded as a national of more than one State shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

2. There shall be no fewer than three members from each geographical group as established by the General Assembly of the United Nations.

11. At their nineteenth meeting, in 2009, the States parties approved the arrangement for the allocation of seats on the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf as set out in SPLOS/201 (see SPLOS/203, paras. 96-102). According to the arrangement:

> 1. The allocation of seats of the International Tribunal for the Law of the Sea shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats. From the next election, the Tribunal shall have the following composition:
>
> (a) Five members of the Tribunal shall be from the Group of African States;
>
> (b) Five members of the Tribunal shall be from the Group of Asian States;
>
> (c) Three members of the Tribunal shall be from the Group of Eastern European States;
>
> (d) Four members of the Tribunal shall be from the Group of Latin American and Caribbean States;
>
> (e) Three members of the Tribunal shall be from the Group of Western European and other States;
>
> (f) The remaining one member of the Tribunal shall be elected from among the Group of African States, the Group of Asian States and the Group of Western European and other States.
>
> ...
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> 3. The above arrangements do not prejudice or affect future arrangements for elections.

Annex

Members of the International Tribunal for the Law of the Sea and dates of expiry of their terms of office

Name	*Nationality*	*Date of expiry of term of office*
President		
Vladimir Vladimirovich Golitsyn	Russian Federation	30 September 2017
Vice-President		
Boualem Bouguetaia	Algeria	30 September 2017
Judges		
P. Chandrasekhara Rao	India	30 September 2017
Joseph Akl	Lebanon	30 September 2017
Rüdiger Wolfrum	Germany	30 September 2017
Tafsir Malick Ndiaye	Senegal	30 September 2020
José Luis Jesus	Cabo Verde	30 September 2017
Jean-Pierre Cot	France	30 September 2020
Anthony Amos Lucky	Trinidad and Tobago	30 September 2020
Stanislaw Michal Pawlak	Poland	30 September 2023
Shunji Yanai	Japan	30 September 2023
James Luta Kateka	United Republic of Tanzania	30 September 2023
Albertus Jacobus Hoffmann	South Africa	30 September 2023
Zhiguo Gao	China	30 September 2020
Jin-Hyun Paik	Republic of Korea	30 September 2023
Elsa Kelly	Argentina	30 September 2020
David Joseph Attard	Malta	30 September 2020
Markiyan Z. Kulyk	Ukraine	30 September 2020
Alonso Gómez-Robledo Verduzco	Mexico	30 September 2023
Tomas Heidar	Iceland	30 September 2023